

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

LAKEITH AMIR-SHARIF,
Plaintiff,

V.

**DALLAS SHERIFF'S DEPARTMENT,
et al.,**

Defendants.

3:06-CV-2268-D
ECF

RECOMMENDATION RE: NON-PRISONER'S IFP STATUS ON APPEAL

(For *pro se* non-PLRA appeals)

Before the Court are a Notice of Appeal and a Request to Proceed *In Forma Pauperis* on Appeal filed on May 29, 2007. The Magistrate Judge, having considered the issue, recommends as follows:

- () the party appealing should be GRANTED leave to proceed *in forma pauperis*.
- () the party appealing is proceeding *in forma pauperis*.
- (X) the party appealing should be DENIED leave to proceed *in forma pauperis* for the following reason(s):
- (X) the court recommends that the District Court certify, pursuant to Fed. R. App. P. 24(a) and 28 U.S.C. § 1915(a)(3), that the appeal is not taken in good faith;
- () the person appealing is not a pauper;
- () the person appealing has not complied with the requirements of Rule 24 of the Federal Rules of Appellate Procedure and/or 28 U.S.C. § 1915(a)(1) as ordered by the Court. (See Notice of Deficiency and Order filed on _____).

Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the plaintiff may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this Order.

Signed this 5th day of June, 2007.

Wm. F. Sanderson, Jr.

UNITED STATES MAGISTRATE JUDGE